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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5980 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE AKIL KURESHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DHUDIBEN KESHABHAI MAKWANA W/O. KESHABHAI A MAKWANA

Versus

PALANPUR MUNICIPALITY

Appearance:

1. Special Civil Application No. 5980 of 2004

MR HRIDAY BUCH for Petitioner No. 1-4

MR MEHUL H RATHOD for Respondent No. 1

MS REETA CHANDARANA, AGP for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE AKIL KURESHI

Date of decision: 26/11/2004

ORAL JUDGEMENT

Rule. Mr.M.H.Rathod waives service of notice of rule on behalf of the respondent No.1. Ms.Reeta

Chandarana, learned AGP, waives service of rule on behalf of respondent No.2.

2. In the present petition, the petitioner has complained that though he has retired quite some time back, his retiral dues are not fully paid by the respondent No.1. Appearing for the respondent No.1, Shri M.H.Rathod submits that due to severe financial constraints, respondent No.1 has not been able to pay the retiral dues of the petitioners fully.

3. Learned advocate for the petitioner submits that even if there are financial difficulties, respondent No.1 should be directed to release the retiral dues within a reasonable time. Considering the submissions made, it is directed that the respondent No.1 shall pay the entire outstanding retiral dues of the petitioner in five equal monthly installments commencing from 1st January, 2005.

4. With the above directions, the petition stands disposed of. Rule is made absolute accordingly with no order as to costs.

(Akil Kureshi, J.)

(vjn)